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Attention: BOX DAC
Assistant Commissioner for Patents
Washington, D.C. 20231 On Sep 28, 1998

By: Erica L. Canonizado
Erica L. Canonizado

DAC
PATENT
Attorney Docket No.: 17648-2US

#5

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

SALESKY et al.

Application No.: 08/823,744

Filed: March 25, 1997

For: REAL-TIME, MULTI-POINT, MULTI-
SPEED, MULTI-STREAM SCALABLE
COMPUTER NETWORK
COMMUNICATIONS SYSTEM

Examiner: Unassigned

Art Unit: 0000

PETITION TO REVIVE UNINTENTIONALLY
ABANDONED APPLICATION

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Box: DAC
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicant petitions to revive the above-identified application under 37 CFR §1.137(b). The application was unintentionally abandoned for failure to respond to a Notice of Missing Parts that was never received. The entire delay, including the delay from the due date for the reply through the date of this Petition, was unintentional and due to no error on the Applicant's part.

The Response to Notice of Missing Parts is included with this Petition.

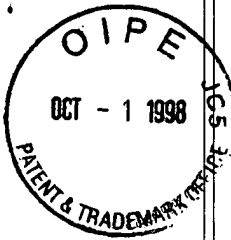
As the reviving of this application is not due to any error by the Applicant, no fee is required; however, should any fee be required please charge deposit account no. 20-1430.

Respectfully submitted,

Date: 9-16-98

Philip H. Albert
Philip H. Albert
Reg. No. 35,819

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
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PHA:elc
SF 185741 v1



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on:

By: Erica L. Canonizado
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PATENT

Attorney Docket No. 17648-2US

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SALESKY et al.

Serial No. 08/823,744

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For: REAL-TIME, MULTI-POINT,
MULTI-SPEED, MULTI-STREAM
SCALABLE COMPUTER NETWORK
COMMUNICATIONS

Examiner: Unassigned

Art Unit No. 0000

**DECLARATION OF
MICHELE A. SIMONE**

Attention: BOX DAC
Asst. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

I, MICHELE A. SIMONE, hereby declare as follows:

1. I am over 18 years of age and am employed full-time as U.S. docket clerk for Townsend and Townsend and Crew LLP ("Townsend").

2. Our business address of record is: Townsend and Townsend and Crew LLP, Two Embarcadero Center, 8th Floor, San Francisco, CA 94111-3834.

3. I have been continuously employed by Townsend since January, 1985, and have been a U.S. docket clerk since March, 1990.

4. The Townsend procedure for handling U.S. Patent and Trademark Office ("PTO") mail is outlined below:

a. All incoming PTO mail is directed to my attention;

- b. Using a computerized docketing system, I personally calendar due dates, and mark the original document with the Townsend docket number, attorney initials and response due date, if any. The original PTO document is then forwarded to the working attorney.
- c. On September 14, 1998, and upon the request of attorney Philip H. Albert, I conducted a thorough search of the computer and corresponding manual back up records for any information/documentation relating to the above-identified application and found no evidence of any Office Action received bearing a PTO mail date of August 15, 1997. A copy of the computerized docket record for the present application is attached hereto as Exhibit A (A number of references to unrelated clients have been redacted to preserve client confidences. None of the redacted material relates to the instant case as it is largely client names, matter names and invention titles for unrelated matters having docket entries on the dates shown).

5. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated: 9.28.98

Michele Simone
Michele A. Simone

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, 8th Floor
San Francisco, California 94111-3834
(415) 576-0200
PHA:elc

165761

10-09-1998



Attorney Docket No. 17648-2

FORM PTO-1595
(Rev. 6-93)

100847688

U.S. Department of Commerce
Patent and Trademark Office

To the Honorable Asst. Commissioner for Patents. Please record the attached original documents or copy thereof

1. Name of conveying party(ies):

SALESKY et al.

Additional name(s) of conveying parties attached? ☐ Yes
☒ No.

2. Name and address of receiving party(ies)

Name: PictureTalk, Inc. 100847688-2 1110:51

Street Address: 4234 Hacienda Drive, Suite 200

City: Pleasanton State: CA ZIP: 94588

Additional names and addresses attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other:

Execution Date: July 11, 1997, July 14, 1997, July 15, 1997 and July 16, 1997

4. Application Number(s) or Patent Numbers.

If this document is being filed together with a new application, the execution date of the application is: July 9, 1997 and July 13, 1997

A. Patent Application No(s): 08/823,744

B. Patent No(s):

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Philip H. Albert
 TOWNSEND AND TOWNSEND AND CREW LLP
 Two Embarcadero Center, 8th Floor
 San Francisco, California 94111-3834
 (415) 576-0200

6. Total number of applications and patents involved 1

7. Total fee (37 CFR 3.41): \$40.00

☐ Enclosed ☒ Charge Fees to Deposit Account☐ Charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment, to deposit account.

8. Deposit account number: 20-1430

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9. Statement and signature.

To the best of my knowledge and belief, the foregoing is true and correct and any attached copy is a true of copy of the original document.

Philip H. Albert

Name of Person Signing

Signature

 9-14-98
 Date

Atty Reg. No. 35,819

Total number of pages including cover sheet, attachments and document 8

10. Change Correspondence Address to that of Part 5? ☒ Yes ☐ No

OMB No. 0651-0011 (exp. 4/94)

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